

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

3:09-CR-00130-RJC

USA

v.

MOICES GARDUNO VALENCIA (3)

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ORDER

THIS MATTER is before the Court on the defendant's pro se motion for the return of seized property, pursuant to Fed. R. Crim. 41(g), (Doc. No. 81), and the government's response, (Doc. No. 145).

The defendant seeks the return of two cellphones seized at the time of his arrest. (Doc. No. 81: Motion at 1). The government states that the investigating agency destroyed the items. (Doc. No. 145: Response at 1).

IT IS, THEREFORE, ORDERED that the defendant's motion, (Doc. No. 81), is **DISMISSED as moot**.

Signed: September 5, 2023



Robert J. Conrad, Jr.
United States District Judge

